

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

DERRICK A. MILBOURNE,  
On his own behalf and on  
Behalf of those similarly  
Situating,

Plaintiff,

v.

Civil Action No. 3:12cv861

JRK RESIDENTIAL AMERICA, LLC,

Defendant.

**ORDER**

Because the PRELIMINARY APPROVAL ORDER entered herein on September 15, 2016 (ECF No. 313) set a date for the hearing for final approval of the settlement that was not sufficient to satisfy 28 U.S.C. § 1715 and approved notices that contained that date, is it hereby ORDERED that the PRELIMINARY APPROVAL ORDER (ECF No. 313) is VACATED and that the JOINT MOTION FOR ENTRY OF AMENDED PRELIMINARY APPROVAL ORDER AND CONTINUANCE OF FINAL APPROVAL HEARING TO JANUARY 4, 2017 (ECF No. 314) is granted. A new Preliminary Approval Order will be entered. It is further ORDERED that the JOINT MOTION TO AMEND PRELIMINARY APPROVAL ORDER (ECF No. 315) is denied as moot.

It is so ORDERED.

/s/



Robert E. Payne  
Senior United States District Judge

Richmond, Virginia  
Date: September 16, 2016